

OPINION

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT COURT
BROWNSVILLE DIVISION**

CINDY MORENO, ET AL.,
Plaintiffs,

v.

THE CITY OF BROWNSVILLE, ET AL.,
Defendants.

§.
§
§
§
§
§
§

CIVIL ACTION NO. B-08-504

ORDER DENYING MOTION TO EXTEND ALL DEADLINES

Defendants have filed an Opposed Motion to Extend All Deadlines (hereinafter “the Motion”). (Docket No. 62). The Motion seeks the Court’s provision of “additional time to fully complete discovery and depositions in order to be able to file dispositive motions and be fully prepared for trial.” (Docket No. 62 at 3). The apparent rationale for this delay, as far as the Court can deduce from the Motion, is that “Defendants’ counsel have multiple trial settings scheduled in the next two (2) months, which makes the scheduling of depositions and other matters difficult and it is unlikely that all of the discovery and depositions that need to be completed in this matter will be fully completed prior to the current deadlines.” *Ibid*.

Nevertheless, Defendants’ claim “that the parties have agreed to extend the discovery deadline amongst themselves.” (Docket No. 62 at 3). And yet, the Motion is titled and submitted to the Court as opposed. Party agreement is vital to this decision because this action is quite mature having been filed on December 12, 2008. Further, the Court apprised both parties, during a scheduling conference, of its rather flexible scheduling practices but also advised both parties that certain deadlines would prove difficult to amend. Those latter deadlines include: the final pretrial

conference, jury selection, and the date for the commencement of trial. Defendants now seek to extend those dates without the plaintiffs' unequivocal agreement.

In light of the above, the Court hereby DENIES the Motion. (Docket No. 62). The Court however will agree to take up Defendants' request in a subsequent unopposed motion if Defendants are able to garner the plaintiffs' support in urging the Court to extend all the present deadlines. Nevertheless, until such a situation arises, or Defendants' provide a stronger basis for the extension of deadlines than that currently found in the Motion, the present motion is DENIED.

SIGNED at Brownsville, Texas, this 18th day of January 2011.

A handwritten signature in black ink, appearing to read 'F. Recio', is written over a horizontal line.

Felix Recio
United States Magistrate Judge